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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4302/2015 & CM 7796/2015, 9124/2015, 9229/2015, 9230/2015,
10004/2015, 13078/2015 & 19041/2016

THE INDIAN NATIONAL TRUST FOR ART & CULTURAL
HERITAGE (INTACH) & ANR

..... Petitioners

Through Mr Gourab Banerji, Sr. Adv. with Ms
Charu Ambwani & Ms Manisha Singh,
Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS

..... Respondents

Through Ms Arti Bansal, Adv. with Ms Madhuri
Dhingra, Adv. for R-5/SDMC.
Mr Arjun Pant, Adv. for DDA along
with Mr Mohd. Mustaqeem, EE (SW-II)
Mr Hashmat Nabi with Mr Syed Mehdi
Zaidi, Advs. for R8/Delhi Wakf Board.
Ms Megha Srivastava, Adv. for
R6/DUAC.
Mr Satish Kumar Tripathi, Adv. for
applicant in CM 9124/2015.
Ms Shubhi Khare, Adv. for applicant in
CM 9229/2015.
Mr Akshay Makhija, CGSC with Ms
Shivi Sanyam, Adv. for R3.
Mr Siddhartha Nagpal, Adv. with Mr
Sumeet Pushkarna, St. Counsel for DJB.
Mr Anuj Aggarwal, ASC for GNCTD
with Ms Niti Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **01.02.2017**

Dr Ankita Chakraborty, SDM Saket, is present. She submitted that there were some difficulties in carrying out demarcation as per the Total Station



Method. However, she has assured this Court that the demarcation shall be completed at the earliest. We direct that the same be done within three weeks from today. The demarcation of the non-built up area be done in the first instance. This is to ensure that the position as it exists at the DDA Mehrauli Park is at least frozen. Mr Pant, appearing for the DDA, has also said that the construction of the boundary wall on the western side of the park is awaiting the demarcation. It is, therefore, necessary and imperative that the demarcation be completed at the earliest and it is for this reason that we have given the above direction.

The learned counsel for the Delhi Wakf Board shall also file an updated status report with regard to the action taken on Kala Mahal Masjid. The Delhi Wakf Board has filed geo tagged photographs of the various monuments/tombs in the said park. According to Mr Banerji, who appears for the petitioners, this would greatly help in identifying and subsequently preserving the monuments.

The learned counsel for the ASI shall file a status report with regard to the restoration and status of the Khan Shahid Tomb. The learned counsel for the South Delhi Municipal Corporation shall file a report, particularly with regard to Sl. No.186 onwards in Annexure A to notification dated 25.02.2010 which pertains to the DDA Park, Mehrauli. The status report would indicate the identification of the various tombs/monuments/buildings which have been referred to within Sl. No.186 to 239 which fall within the DDA Park, Mehrauli.

The Chief Secretary, Govt. of NCT of Delhi shall call a meeting of the concerned authorities including the Delhi Jal Board, Irrigation and Flood Control Department, Delhi Wakf Board, Archaeological Survey of India and the South Delhi Municipal Corporation as also the DDA. This meeting is for the purposes of ensuring that the drain which runs through the DDA Mehrauli Park does not over flow during the monsoon period which would go a long way in preserving the monuments in the said park. The learned counsel for the NCT of Delhi shall inform all the parties with regard to the date and time of the meeting which should



be held within the next week or ten days. A representative of the petitioners is also permitted to attend the meeting

Renotify on 08.03.2017.

A copy of the order be given dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

FEBRUARY 01, 2017

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